

REMARKS

Claims 1, 4, 6, 9, 12, 22, 24, 26, and 31-39 are currently pending in the present application, with Claims 1, 4, 6, 9, 12, 22, 24, 26, and 31-34 being amended, Claims 2, 3, 5, 7, 8, 10, 11, 13-21, 23, 25, and 27-30 being canceled, and Claims 35-49 being added. Reconsideration and reexamination of the claims are respectfully requested.

The Examiner rejected Claims 16-21 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This rejection is moot in view of the canceled claims.

The Examiner rejected Claims 1-13, 15, 22, 23, 26, 28, 29, 31, and 32 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,460,060 issued to Maddalozzo et al. This rejection is moot with respect to canceled claims 2, 3, 5, 7, 8, 10, 11, 13, 15, 23, 28, and 29, and respectfully traversed with respect to amended Claims 1, 4, 6, 9, 12, 22, 26, 31, and 32.

The present invention is directed to a method, apparatus, and computer-readable medium for purchasing music piece data from a server on a network, such as the Internet. With respect to Claims 1, 4, 6, 9, 12, and 22, the claim invention is more specifically directed to a system having a removable external storage device that stores various display information data for displaying on a user terminal virtual screens that emulate a plurality of pre-selected merchant sites, such an on-line merchant website on the Internet. The external storage device also stores address information for each of the emulated merchant sites so as to direct a user's browser to that merchant's actual website so that the actual website can be displayed on the user terminal. One advantage provided by the claimed invention is either the ability to browse for products without being actually connected to the Internet, or significantly increase the speed of product browsing by reducing the amount of the information needing to be downloaded from the Internet. More importantly, by pre-selecting merchant websites that offer the desired product (in this instance music-piece data), the present invention reduces the user's burden of searching through the Internet for appropriate merchants that may or may not be suitable or safe to conduct purchase transactions. When the user has actually chosen a product and a merchant, then the merchant's

actual website can be called up by the stored address information (such as an URL) for completing the transaction.

With respect to Claims 31 and 32, the claimed inventions are directed to a storage device that includes a list of music piece data sets that are available for download or purchase from a server on a network. The music piece data sets are classified by their suitability for use in a particular musical instrument, such as an electronic keyboard. The storage device also includes address information for retrieving the profile screen of any one of the listed music piece data available from the server.

Maddalozzo does not contain any disclosure or suggestion of a storage device or external storage medium that include display information for use in displaying an emulation screen of a merchant website, or address information for retrieving the merchant website emulated. Rather, Maddalozzo is simply directed to a web browsing system in which, when a URL search parameter is entered, a list of URLs is automatically created from a bookmark or a history file, and a determination is made as to whether a web page associated with a URL designated from the list of URL is cached on the hard disk of a computer. If the associated web page is cached, the cached web page is read out and displayed. Otherwise the web page is downloaded from the Internet. Maddalozzo does not teach or suggest emulating website screens whatsoever. Nor does Maddalozzo contain any disclosure or suggestion of listing music piece data and classifying them by their suitability for a particular musical instrument. Accordingly, Applicants respectfully submit that Maddalozzo does not anticipate, or make obvious, amended Claims 1, 4, 6, 9, 12, 22, 26, 31, and 32.

The Examiner rejected Claims 14, 16-21, 24, 25, and 27 under 35 U.S.C. § 103(a) as being unpatentable over Maddalozzo in view of U.S. Application Publication No. US 2003/0154135 by Covington et al. This rejection is moot with respect to canceled claims 14, 16-21, 25, and 27, and is respectfully traversed with respect to amended Claim 24, which depends from amended Claim 22.

As discussed above, Maddalozzo does not contain any disclosure or suggestion of emulating merchant sites. Covington fails to make up for the deficiencies of Maddalozzo. Specifically, Covington is directed to Internet on-line stores that sell musical compact discs. Covington does not make any mention of screen emulation. Accordingly, Applicants respectfully submit that Claim 24 is not anticipated by, nor obvious in view of, the combination of Maddalozzo and Covington.

The Examiner rejected Claim 30 under 35 U.S.C. § 103(a) as being unpatentable over Maddalozzo in view of U.S. Patent No. 6,405,203 issued to Collart. This rejection is moot with respect to the canceled claim.

The Examiner rejected Claims 33 and 34 under 35 U.S.C. § 103(a) as being unpatentable over Maddalozzo and Covington in view of Collart. This rejection is respectfully traversed with respect to the amended claim.

Claims 33 and 34 are directed to an apparatus and storage medium similar to Claims 31 and 32 in having a storage medium that includes a list of music piece data sets available for download or purchase from a server. The music piece data sets are classified by their suitability for use in a particular musical instrument, such as an electronic keyboard. The storage device also includes address information for retrieving the profile screen of any one of the listed music piece data available from the server for display on a user terminal. As discussed above, Maddalozzo does not contain any disclosure or suggestion of displaying or listing music piece data sets that are suitable for use with a particular musical instrument. Neither Covington nor Collart make up for this deficiency. Instead, Covington simply discusses selling musical compact discs, and Collart is directed to tracking distribution of content so as to prevent unauthorized distribution or use of content. Accordingly, Applicants respectfully submit that Claims 33 and 34 are not anticipated by, nor obvious in view of, the combination of Maddalozzo, Covington, and Collart.

New Claims 35-49 are added to claim further aspects of the present invention, and are respectfully submitted as in condition for allowance.

In view of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. An early allowance is solicited. If the Examiner believes it would further advance the prosecution of the present application, he is respectfully requested to contact the undersigned attorney.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 39303.20243.00.

Respectfully submitted,

Dated: February 5, 2004

By: 

David T. Yang
Registration No. 44,415

Morrison & Foerster LLP
555 West Fifth Street
Suite 3500
Los Angeles, California 90013-1024
Telephone: (213) 892-5587
Facsimile: (213) 892-5454